

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-CR-125-JFH-CDL

HAROLD EVERETT BRINGINGGOOD,

Defendant.

OPINION AND ORDER

Before the Court is an amended motion for leave to dismiss with prejudice (“Motion”) filed by the United States of America (“Government”). Dkt. No. 66. The Government requests leave to dismiss the indictment [Dkt. No. 2] and the felony information [Dkt. No. 36] with prejudice as to Defendant Harold Everett Bringinggood (“Defendant”). *Id.* Defendant pled guilty to a misdemeanor information and has been sentenced on that misdemeanor. Dkt. No. 53; Dkt. No. 60; Dkt. No. 64.

Under Fed. R. Crim. P. 48(a), “courts must grant prosecutors leave to dismiss charges unless dismissal is clearly contrary to manifest public interest.” *United States v. Robertson*, 45 F.3d 1423, 1437 n.14 (10th Cir. 1995) (quoting *Rinaldi v. United States*, 434 U.S. 22, 30 (1977)). The Court concludes that dismissal of the felony charge against Defendant is not contrary to the public interest, nor is it for an improper purpose. The Government’s motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Government’s amended motion for leave to dismiss with prejudice [Dkt. No. 66] is GRANTED. The indictment [Dkt. No. 2] and the felony information [Dkt. No. 36] are dismissed with prejudice as to Defendant Harold Everett Bringinggood.

Following the consent of Defendant to proceed before a magistrate judge on misdemeanor counts and sentencing having been held, the remaining felony counts are hereby dismissed and the Clerk is directed to terminate the district judge from the case assignment. The case number is hereby changed to 22-CR-125-CDL and all future pleadings should be marked accordingly.

IT IS FURTHER ORDERED that the original motion to dismiss [Dkt. No. 65] is MOOT.

Dated this 24th day of July 2023.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE